

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2015

CORAM

THE HON'BLE Mr. JUSTICE **M.M.SUNDRESH**

W.P.No.28718 of 2015

R.Govindaraj

.. Petitioner

Vs.

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Superintendent of Police.
Dharmapuri District,
Dharmapuri.

3.The Inspector of Police,
Palacode Police Station,
Palacode, Dharmapuri District.

4.The Tahsildar,
Palacode Taluk,
Dharmapuri District.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondent authorities to grant permission to conduct the Vinayagar Chaturthi Festival from 17.09.2015 to 27.09.2015 in a grand manner by erecting Vinayagar statue before the Vinayagar Temple at river bank which is situated on the way from Mel Theru to Maniyakarankottai, Palacode and provide police protection for procession for taking the

Vinayakar statue in the lorry on 27.09.2015 at 9.00 a.m., by procession as per Hindus customs, which is being followed time immemorial with drums, music and celebrations, through the usual routes being followed for the 24 years, viz., Mariamman Koil Street, Kanampalli Street, Mandaivali, Kalkoodapatti, Kesarkuli Road and via., Solaiappachetti Street to Police Station and from Police station and Main Road to Sthubi Ground, thereafter via Palacode Bus stand to Tomato Market and finally dropping the statue in Hogenakkal River water.

For Petitioner	..	Mr.R.Ramesh Raja
For Respondents	..	Mrs.P.Rajalakshmi, Government Advocate

ORDER

Seeking permission to conduct the Vinayagar Chaturthi Festival for 11 days from 17.09.2015 to 27.09.2015, the petitioner has come forward to file this writ petition.

2. When the matter is taken up for hearing, the learned Government Advocate, on instructions, submitted that the petitioner would be permitted to conduct the Vinayagar Chaturthi Festival for a period of three days and also for procession starting from Maniyakarankottai through Palacode Bus Stand to reach Hogenakkal.

3. The learned counsel appearing for the petitioner submitted that for the last year 9 days permission was given in pursuant to the order passed by this Court in W.P.Nos.21634 and 23153 of 2014 dated 26.08.2014. The learned counsel has also submitted that the route as proposed by the petitioner has to be considered and there is no likelihood of law and order problem.

4. The learned Government Advocate submitted that there is likelihood of law and order problem as three mosques have been situated in the route proposed by the petitioner for procession. The question of considering 11 days does not arise, since it would mean continuous police protection as against the normal work.

5. In a matter like this, the Court has got little role to play, especially, for granting permission for conducting Vinayagar Chathurthi Festival and for procession, as the route sought for by the petitioner would lead to likelihood of law and order problem. Therefore, the writ petition stands disposed of by directing the respondents to give permission to the petitioner to celebrate Vinayagar Chathurthi Festival for five days i.e., from 17.09.2015 to 21.09.2015 and the procession starting from Maniyakarankottai

through Palacode Bus Stand to reach Hogenakkal is subject to other conditions that could be imposed. No costs.

14.09.2015

Note: Issue order copy on 16.09.2015

Index:Yes/No
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To

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Dharmapuri District,
Dharmapuri.
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- 3.The Inspector of Police,
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- 4.The Tahsildar,
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M.M. SUNDRESH, J.

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